

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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ALAN BRUCE CARPENTER,

Civil No. 14-1664 (JRT/TNL)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

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Lionel H. Peabody, **PEABODY LAW OFFICE**, Post Office Box 10, Duluth, MN 55801, for plaintiff,

Pamela Marentette, Assistant United States Attorney, **UNITED STATES ATTORNEY'S OFFICE**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for defendant.

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated July 27, 2015 (Docket No. 26), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY**

**ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (Docket No. 17) and Defendant's Motion for Summary Judgment (Docket No. 21) are **GRANTED IN PART** and **DENIED IN PART** as set forth in the Report and Recommendation.
2. The decision to reopen the October 12, 2011 benefits determination is **REVERSED** and the benefits determination is **REINSTATED**; and
3. This action is **DISMISSED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: August 26, 2015  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court